

(I) A REASONABLY STATIC PHYSICAL IMPAIRMENT THAT PREVENTS GAINFUL EMPLOYMENT OR THE ACCOMPLISHMENT OF THE ROUTINE OF NORMAL DAILY ACTIVITIES OUTSIDE OF AN INSTITUTIONAL OR SHELTERED ENVIRONMENT; OR

(II) A PERMANENT OR RECURRENT MENTAL IMPAIRMENT THAT REQUIRES DOMICILIARY OR INSTITUTIONAL CARE IN A SHELTERED ENVIRONMENT.

REVISOR'S NOTE: This subsection is new language that combines, without substantive change, former Article 43, § 717H(c) and (d).

The former, separate definitions of "medically handicapped" and "adult" appeared together throughout former Article 43, §§ 717G through 717J and caused redundancy and ambiguity. Therefore, in this subsection, the definitions of "medically handicapped" and "adult" are combined to define the phrase "medically handicapped adult".

The former phrase "but requires supervision and care during a part of his or her day" is deleted as redundant in light of the references to a "sheltered environment".

14-302. STATEMENT OF PURPOSE; INTENT.

(A) STATEMENT OF PURPOSE.

THE PURPOSES OF THIS SUBTITLE ARE:

(1) TO PROVIDE FOR THE ESTABLISHMENT OF DAY CARE CENTERS FOR ADULTS AND SERVICES THAT WILL GIVE MEDICALLY HANDICAPPED ADULTS THE CHANCE TO STAY WITH THEIR FAMILIES OR IN THEIR COMMUNITIES INSTEAD OF BEING PLACED IN A NURSING HOME OR STATE INSTITUTION; AND

(2) TO ALLOW THIS STATE TO DEAL MORE EFFECTIVELY AND ECONOMICALLY WITH THE NEEDS OF ITS MEDICALLY HANDICAPPED ADULTS.

(B) INTENT.

THE GENERAL ASSEMBLY INTENDS THAT DAY CARE CENTERS FOR ADULTS AND SERVICES BE USED:

(1) TO AVOID, AS MUCH AS POSSIBLE, UNNECESSARY COMMITMENT OF A MEDICALLY HANDICAPPED ADULT TO A NURSING HOME, STATE INSTITUTION, OR OTHER LONG TERM CARE FACILITY;

(2) TO PROVIDE OPPORTUNITIES FOR MEDICALLY HANDICAPPED ADULTS TO BE DISCHARGED FROM NURSING HOMES,